

IOI-434CIP

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re U.S. Patent Application)

Applicant: Johnson et al.)

Serial No. 10/613,323)

Filed: July 3, 2003)

For: MODULAR KNEE PROSTHESIS)

Art Unit: 3738)

Examiner: Suzette Jamie Jackson)

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facsimile to: Barbara, c/o the Pre-Grant Publication
Division, U.S. Patent and Trademark Office, (703) 305-
8568 on the date below.*

January 10, 2005
Date


Registration No. 41,017
Attorney for Applicants

PETITION TO WITHDRAW FROM ISSUE UNDER 37CFR 1.313(c)(3)

Mail Stop Express Abandonment
Pre-Grant Publication Division
U.S. Patent and Trademark Office
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant respectfully requests express abandonment of the above-captioned application in
favor of Continuing Application No. 11/009,498.

In the event Applicants have overlooked the need for an extension of time or payment of fee,
Applicants hereby petition therefore and authorizes that any charges be made to Deposit Account No.
50-2779, ZIMMER TECHNOLOGY, INC.

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50-2779, ZIMMER TECHNOLOGY, INC.

If any questions regarding this Application should arise, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

ZIMMER TECHNOLOGY, INC.

By



Jonathan D. Feuchtwang, Esq.
Registration No. 41,017

January 10, 2004
Zimmer Technology, Inc.
150 North Wacker Drive
Suite 1200
Chicago, Illinois 60606
Telephone: (312) 372-2859
Facsimile: (312) 372-2906
jonathan.feuchtwang@zimmer.com
Customer No. 37235

IOI-434CIP

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re U.S. Patent Application)

Applicant: Saladino et al.)

Serial No. 10/613,323)

Filed: July 3, 2003)

For: MODULAR KNEE PROSTHESIS)

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Date

Registration No. 41,017
Attorney for ApplicantsFACSIMILE TRANSMITTAL

Pages including cover sheet: 9

Attached is the following: Transmittal; Fee Transmittal; Express Abandonment Under 37 CFR 1.138; and
Petition to Withdraw From Issue

(X) If a Petition under 37 C.F.R. 1.136(a) for an extension of time for response is required to make the
attached response timely and does not separately accompany this transmittal, Applicant hereby petitions
under 37 C.F.R. 1.136(a) for an extension of time for response in the above-identified application for the
period required to make the attached response timely.

(X) The Commissioner is hereby authorized to charge any additional fees which may be required to this
application under 37 C.F.R. 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-2779.
Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-
dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge
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January 10, 2005

Zimmer Technology, Inc.

150 North Wacker Drive

Suite 1200

Chicago, Illinois 60606

Telephone: (312) 372-2859

Facsimile: (312) 372-2906

Customer No. 37235

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re U.S. Patent Application

Applicant: Saladino et al.

Serial No. 10/613,323

Filed: July 3, 2003

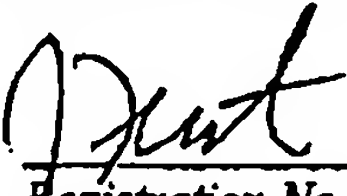
For: MODULAR KNEE PROSTHESIS

Art Unit: 3738

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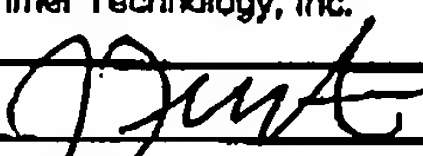
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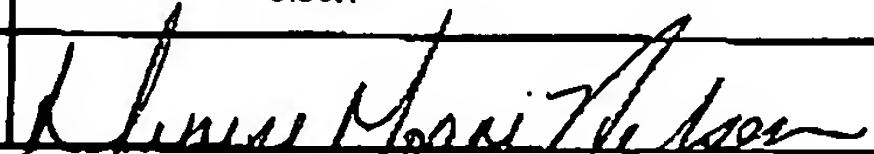
PTO/SB/21 (02-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/613,323	
	Filing Date	July 3, 2003	
	First Named Inventor	Joseph Saladino	
	Art Unit	3738	
	Examiner Name	Suzette Jamie Jackson	
Total Number of Pages in This Submission	9	Attorney Docket Number	101-434

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input checked="" type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Express Abandonment Under 37CFR1.138 Petition to Withdraw From Issue		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Jonathan D. Feuchtwang, Reg. No. 41,017 Zimmer Technology, Inc.	
Signature		
Date	January 10, 2004	

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Typed or printed name	Denise Moani Nelson	
Signature		Date January 10, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-03)

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FEE TRANSMITTAL
for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$)**130.00****Complete if Known**

Application Number	10/613,323
Filing Date	July 3, 2003
First Named Inventor	Joseph Saladin
Examiner Name	Suzette Jamie Jackson
Art Unit	3738
Attorney Docket No.	101-434

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit AccountDeposit
Account
Number
Deposit
Account
Name

50-2779

Zimmer Technology, Inc.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below		Fee Paid	
Independent Claims		-20** =		X			
Multiple Dependent		-3** =		X			

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$)

**or number previously paid, if greater. For Reissues, see above


FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1005	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	840	2503	320	Plant issue fee	
1400	130	1400	130	Petitions to the Commissioner	130.00
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**130.00****SUBMITTED BY**

Name (Print/Type)	Jonathan D. Feuchtwang	Registration No. (Attorney/Agent)	41,017	Telephone	312 372 2860
Signature		Date	January 10, 2004		

(Complete if applicable)

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PTO/SB/17 (10-03)

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Examiner Name	Suzette Jamie Jackson
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FEE CALCULATION (continued)**3. ADDITIONAL FEES**

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Fee Paid

130.00

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130.00

SUBMITTED BY

Name (Print/Type)

Jonathan D. Feuchtwang

Registration No.
(Attorney/Agent)

41,017

(Complete if applicable)

Telephone 312 372 2860

Signature

Date

January 10, 2004

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